

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

DATE: June 5, 2013

LEONARD DAVIS
Judge Presiding

Court Reporters: Shea Sloan
Judy Werlinger

Law Clerk: Blaine Larson

Court Administrator: Rosa L Ferguson

ERICSSON, INC, ET AL V D-LINK CORPORATION, ET AL	CIVIL ACTION NO: 6:10-CV-473 JURY TRIAL – DAY 3
ATTORNEYS FOR PLAINTIFF	ATTORNEYS FOR DEFENDANTS
SEE SIGN-IN SHEETS	

On this day, came the parties by their attorneys and the following proceedings were had:

OPEN: 9:00 am

ADJOURN: 4:00 pm

TIME:	MINUTES:
9:00 am	Trial resumed. Jury seated in the courtroom.
	Court welcomed the Jury back.
	Court inquired of the parties if they had exhibits to offer.
	Ms. Moore tendered Plaintiffs' Pre-Admitted Exhibit List for June 5, 2013, and List was marked as Plaintiffs' Exhibit List 3 . Without objection, exhibits on list admitted. Admitted Exhibits: Plaintiff's Exhibit 26 – 33, 37, 96, 103 – 117, 121, 130, 136 – 142, 156 – 162, 238, 244, 293, 294, 307 – 310, 464, 469, 499 – 502, 508, 510, 541, 548, 549, 553, 554, 557 - 561.
	Mr. DeVries tendered Defendants' List of Pre-Admitted Exhibit List for June 5, 2013, and List was marked as Defendants' Exhibit List 3 . Without objection exhibits on list admitted. Admitted Exhibits: Defendants' Exhibit 37, 149, 160, 161, 170, 189, 193, 231 – 233, 241, 243, 246, 249, 250, 252 – 254, 263, 307, 305, 350, 356, 453, 477, 510, 519, 520, 550, 553, 591, 598, 604.
	Dr. SCOTT NETTLES on the witness stand.
	Direct examination of Dr. Nettles by Mr. Stevenson continued.
10:00 AM	Court in recess until 10:15.
10:15 AM	Trial resumed. Jury seated in the courtroom.
	Direct examination of Dr. Nettles continued.
11:50 AM	Court in recess for lunch.
12:25 PM	Trial resumed. Jury seated in the courtroom.

TIME:	MINUTES:
	Direct examination of Dr. Nettles continued.
	Mr. Stevenson passed the witness. Cross examination of Dr. Nettles by Mr. Van Nest.
2:12 PM	Mr. Van Nest passed the witness. Court in recess until 2:30 PM
2:35 PM	Trial resumed. Jury seated in the courtroom.
	Redirect examination of Dr. Nettles by Mr. Stevenson.
	Mr. Stevenson passed the witness. Recross examination of Dr. Nettles by Mr. Van Nest.
	Mr. Van Nest passed the witness. Redirect examination of Dr. Nettles by Mr. Stevenson.
	Mr. Stevenson passed the witness.
	Court asked Jury for its questions. Court reviewed.
	Court recessed the Jury for about 5 minutes.
3:15 PM	Jury not present. Court addressed the parties and read Question 1 (regarding source code being subjective). Mr. Stevenson objects to the vagueness. Mr. Van Nest concurs. Court will not read the Question 1. Court read Question 2 (regarding creating the Wi-Fi Chip without obtaining license from Ericsson). Mr. Stevenson objects. Mr. Van Nest concurs. Court read Question 3 (regarding Ericsson's patents included in the 802.11n standard). Court will ask that question but take out the word "definitely." Court read Question 4. Mr. Stevenson responded that it is beyond scope of this witness. Mr. Van Nest concurs. Court read Question 5 (regarding the 802.11 receiver and the '625 Patent). Mr. Stevenson believes the witness is able to answer. Mr. Van Nest does not agree.
	Court will ask Question 3 (regarding Ericsson's patents included in the 802.11n standard.) Mr. Van Nest addressed the Court on this question. Court overruled objection. Court will ask Question 5 (regarding 802.11 receiver and the '625 Patent). Mr. Van Nest addressed the Court. Court will change word "due to" to "covered by."
3:20 PM	Court asked for Jury. Jury seated in the courtroom.
	Court asked Dr. Nettles asked Question No. 3 (regarding Ericsson's patents included in the 802.11n standard). Dr. Nettles responded.
	Court asked Dr. Nettles asked Question No. 5 (regarding the 802.11 receiver and the '625 Patent). Dr. Nettles responded.
	Court asked for follow up questions.
	Redirect examination of Dr. Nettles by Mr. Van Nest.
	Dr. Nettles is excused.
	Mr. Nemunaitis addressed the Court on reading an Interrogatory.
	Mr. Nemunaitis read to the Jury Interrogatory regarding Toshiba.
	Mr. Campbell called JOHN BONE to the witness stand. Witness previously sworn.
	Direct examination of Mr. Bone by Mr. Campbell.
3:55 pm	Court recessed the Jury until 9:00 a.m.
	Jury Not Present.
	Court addressed the parties and gave them their times: Plaintiffs have used 8 hours and 33 minutes and Defendants have used 3 hours and 35 minutes.
	Court inquired about Plaintiffs resting tomorrow. Mr. Cawley responded and Plaintiffs anticipate resting tomorrow. Court inquired if the Defendants would be ready to proceed. Mr. Van Nest responded that they would.
	Court inquired about parties giving back some time. Mr. Cawley responded. Mr. Van Nest responded.

TIME:	MINUTES:
	Mr. Campbell addressed the Court regarding sealing the courtroom. Court asked Mr. Campbell to remind him.
4:00 pm	There being nothing further, Court adjourned for the day.